IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION NO.23224 of 2004

Between:

M/s.Shanthi Housing & Estates Private Limited (Happy Resorts), rep., by its Managing Director Mr.Ambati Madhumohan Krishna, s/o Ranga Rao, situated at Atmakur Village, Mangalagiri Mandal, Guntur District.

..... PETITIONER

AND

1 State of Andhra Pradesh, through its Secretary, Revenue (Excise)

Department, Secretariat, Hyderabad.
2 The Commissioner of Prohibition and Excise, Andhra Pradesh,

Hyderabad.
3 The Prohibition and Excise Superintendent, Guntur District, Guntur.
4 The Deputy Commissioner of Police (Task Force), Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly a writ in the nature of writ of mandamus, declaring the action of the respondents in restricting, the grant of licence for sale of liquor under rule-7 of Andhra Pradesh Liquor (issue of permit and licences) Rules, 1995, only to Hotels recognised as having status of three star and above as discriminatory, arbitrary and illegal and consequently directing the respondents 1 to 3 to grant licence of liquor to the petitioner club and direct the respondents not to interfere with the consumption of liquor by the members of the petitioner club within its premises which is carried and purchased by them from FL-17 licence holders and pass such other order or orders.

Counsel for the Petitioner: MR.M.L.ALI and SMT.K.SHYAMALATHA REDDY

Counsel for the Respondent Nos.1 to 4: GP FOR PROHIBITION & EXCISE

The Court made the following:

ORDER:

Though the interlocutory applications are coming for consideration, Smt.K.Shyamalatha Reddy, learned Counsel for the petitioner seeks permission of this Court to withdraw writ petition with liberty to seek redressal before the departmental authorities. A letter to that effect was also addressed to the Registrar (Judicial).

Giving liberty to do so, the writ petition is dismissed as withdrawn.

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(**V.V.S.RAO,J**)

June 14, 2005.

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To

1 State of Andhra Pradesh, through its Secretary, Revenue (Excise)

Department, Secretariat, Hyderabad.

2 The Commissioner of Prohibition and Excise, Andhra Pradesh,

Hyderabad.

3 The Prohibition and Excise Superintendent, Guntur District, Guntur.

4 The Deputy Commissioner of Police (Task Force), Guntur District.

5 Two CCs to the Government Pleader for Prohibition & Excise,

High Court Buildings, Hyderabad. (OUT)

6 Two C.D. Copies.